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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,796	08/23/2000	Andrew Robin Searle	938 26 005	2838

7590 04/25/2003

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EXAMINER

GALL, LLOYD A

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,796

Applicant(s)

SEARLE ET AL.

Examiner

Lloyd A. Gall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 62-67, 123-128, 130-134, 136 and 137 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 62-67, 123-128, 130-134, 136 and 137 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 10 February 2003 is: a) ☒ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The disclosure is objected to because of the following informalities: In the last line of page 20, "in" should be deleted. On page 31, line 7, "150" should read -152-. In the last line of page 36, "sleeve 6" is inaccurate. In the amendment filed on November 18, 2002, it is requested to enter a paragraph after page 36, line 36. It is noted that this paragraph has not been entered, as page 36 does not have a line 36. Applicant should re-submit where this paragraph is to be entered.

Appropriate correction is required.

Claims 123 and 128 are objected to because of the following informalities: In claim 123, line 2, "attack" is misspelled. Claim 128 is objected to, since it is identical to claim 124. Appropriate correction is required.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 62-67, 123-128, 130-134, 136 and 137 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 62, line 2, "for engage with a cash cassette" is unclear as to whether or not the cassette is being positively claimed. In claim 62, line 7, "communicates with a security system of a transportation means" is unclear as to whether this security system and the transportation means are being positively claimed, or not. In claim 123, it is unclear if the "container" in line 2 and the "second security system" in line 6 are being positively

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claimed, or not. Claim 137 must end with a period. In claim 137, line 6, it is unclear if the "second security system" is being positively claimed, or not.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 62-67, 123, 128, 130-134, 136 and 137 are rejected under 35 U.S.C. 102(e) as being anticipated by Cassidy et al.

Cassidy et al teaches a security system for a lockable container for bank notes which includes a spoiling means, the system monitors the container between first and second locations (docking stations) as well as its transit on a delivery vehicle. As disclosed throughout the specification, the system of Cassidy is capable of being programmed to provide any well known communications/validate identities...etc., including a temperature sensor 68 such that any attempt to tamper with the container may activate the dye dispenser.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 124-127 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cassidy et al in view of Boutroy.

Boutroy teaches locking and monitoring a container within a transit vehicle as disclosed on page 14, lines 1-10. To modify the system of Cassidy to include a locking feature within the delivery vehicle, would have been obvious in view of the teaching of Boutroy, to optimize the security of the system.

Applicant's remarks filed on October 1, 2002 have been considered, but are not deemed to be persuasive. The amendments to the specification referred to in the last 4 lines of page 3 of the amendment have not been made. In the last paragraph of page 4, applicant refers to "intended Use" of the invention. It is first noted that intended use is of no patentable significance, absent sufficient positively claimed structure which is not taught by the prior art. It is not clear what positively claimed structure is not taught by the Cassidy reference. It is also noted that Cassidy, on page 2, lines 39-48 and throughout the disclosure, clearly teaches the monitoring security systems defined by modems (see also figure 1, as well as a transportation system armoured vehicle. It is further noted that the claiming of a "security system" is a broad limitation, and elements of figure 1 of Cassidy, as well as the other figures, clearly teach security systems. Also, "relinquishing responsibility" is also a broad limitation, and any function

performed by the modems/computers of Cassidy may be regarded as relinquishing responsibility. Cassidy and Boutroy are both concerned with a transportation vehicle, and the claims remain unclear as to whether a vehicle is being claimed.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Applicant should note that the crossed-out documents on form PTO-1449 are not regarded as prior art references.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lloyd A. Gall whose telephone number is 703-308-0828. The examiner can normally be reached on Monday-Friday, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 703-308-3179. The fax phone numbers

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for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.

LG LG
April 19, 2003

Linda A. Hale
Patent Examiner